



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Monday, September 21, 2020

Ivan Sidney, Village Administrator
First Mesa Consolidated Villages
P.O. Box 260
Polacca, AZ 86042

REPORT OF VIOLATIONS OF THE SAFE DRINKING WATER ACT

Dear Mr. Sidney:

This letter is to notify you of violations of the Safe Drinking Water Act (SDWA) and what must be done to correct the violations for the public water system (PWS) shown below:

Polacca, PWS ID#0400106

The violations reported by EPA Region 9 to EPA HQ for the period ending on 6/30/2020 can be found on the attached table.

Public Notification Requirements

Water system consumers must be notified any time there is a violation of the SDWA. Depending on the severity of the violation, the time frame for completion of the Public Notice will fall into one of three tiers. The final column of the attached tables labeled 'Public Notice Tier' indicates the tier of Public Notice required for the associated violation. If the PWS is required to distribute an annual Consumer Confidence Report, the Tier 3 notifications can be included in that report. Public Notice templates and handbook can be obtained by request from EPA or can be found at:

<https://www.epa.gov/dwreginfo/public-notification-rule>

Tier 1 violations require notification within 24 hours.

Tier 2 violations allow 30 days for notification.

Tier 3 violations require annual notification.

Failure to comply with the public notice requirement will result in further violations.

Return to Compliance

EPA determines that the drinking water system has returned to compliance when the system submits the required sample results or report to EPA. The attached tables include the status of each violation in the 'Return to Compliance Status' heading. If that field is labelled 'Unaddressed' on the table, the green highlighted section below will indicate the procedure the water system should follow to return to compliance. If the field is labelled 'In Compliance,' once the public notice requirement has been completed, no further action is required. Once EPA determines that a violation has been corrected, an official Return to Compliance (RTC) will be entered into our records. All violations and RTCs are reported to the following website:

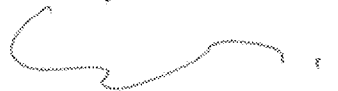
<https://echo.epa.gov/facilities/facility-search?mediaSelected=sdw>

Please note that there may be a several month delay before the RTCs are visible on this website.

Violations of the SDWA that are not corrected lead to a PWS being designated as an 'Enforcement Priority', as identified on EPA's national Enforcement Targeting Tool list. Drinking water systems that acquire this designation are targeted priorities for possible enforcement action by EPA. Furthermore, Enforcement Priority status precludes eligibility for funding under our infrastructure program, unless the proposed project will bring the system into compliance.

Please respond to this letter as soon as possible to inform EPA of your plan to correct these violations. If you have questions regarding this matter, please contact Jeffrey Tsai of my staff at (415) 972-3459 or tsai.yun-jui@epa.gov.

Sincerely,



Emmanuelle Rapicavoli, Team Leader
Tribal Drinking Water Team (WTR-4)

cc: Timothy Nuvangyaoma, Chairman
Alfonso Sakeva, Water Operator
Sharon Grover, Administrative Assistant
Jarrett Calnimpewa, Program Manager

Polacca, PWS ID#0400106**Table of Violations reported by EPA Region 9 to EPA Headquarters for period ending 6/30/2020****Return to Compliance Status: Unaddressed**

The following violation(s) has/have NOT been returned to compliance. See below the required actions to return to compliance and take steps to complete them along with Public Notice requirements.

Violation Type: Maximum Contaminant Level violation for chemical contaminant (running average, 4 qtrs.)

How to return to compliance for violations of this type: Reporting quarterly monitoring for contaminant in violation, until running annual average is below MCL for 6 months.

<u>Contaminant</u>	<u>Violation Period*</u>	<u>Sample Date</u>	<u>Result</u>	<u>Violation Comment +</u>	<u>Public Notice Tier</u>
Arsenic	4/1/2020 6/30/2020	N/A	.0173	EP001: Running annual average violation calculated from the last sample submitted and the group of results from the previous 4 quarters.	2

* Depending on the contaminant and your public water system's monitoring schedule, violations are reported in the quarter following the due date.

+ The comment field indicates the reason for the violation.